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Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fourth year

Identical letters dated 2 February 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and President of the Security Council

The situation in the Occupied Palestinian Territory, including East Jerusalem, remains extremely critical as Israel, the occupying Power, persists with its violations of international law, including humanitarian and human rights law, causing the continued deterioration of the situation in all aspects, including the continued suffering of the Palestinian people under its occupation, and further deepening despair and inflaming heightened tensions.

The situation is particularly acute in the Gaza Strip, where the Palestinian civilian population is struggling to cope with the humanitarian disaster inflicted upon them by the 22-day Israeli military onslaught and the more than 19-month Israeli siege of the Gaza Strip. In this regard, despite the fragile ceasefire in place — which actually continues to be violated by Israeli air strikes and threats of yet another military invasion — the massive devastation, destruction and havoc wreaked by Israel have made the task of recovery a gruelling, painful and heartbreaking experience.

As you are aware, more than 1,300 Palestinians were brutally killed and at least 5,500 Palestinians were wounded by the Israeli occupying forces in the recent military aggression. Using all means of military weaponry, the occupying Power deliberately unleashed excessive, indiscriminate and disproportionate force against the defenceless civilian population in the Gaza Strip. The killings and injuries committed by Israel were clearly committed in grave breach of international humanitarian law, which forbids, inter alia, wilful killing and wilfully causing great suffering or serious injury to body or health of protected persons. For days after the ceasefire, rescue workers continued to pull dead civilians from the rubble of demolished homes, including the bodies of many children. In this regard, it is both shocking and tragic that more than one third of those Palestinians killed and injured by the occupying Power were children and that hundreds of women were also killed or injured.

09-22659 (E) 050209

In addition to the civilian causalities caused, wanton destruction of Palestinian property was deliberately caused by the occupying forces in the Gaza Strip in grave breach of international humanitarian law. As reported by the Office for the Coordination of Humanitarian Affairs, at least 21,000 Palestinian homes or shelters were destroyed or severely damaged by the Israeli occupying forces. In some places, such as in the Jabaliya refugee camp, entire residential areas have been systematically bulldozed to the ground by the occupying Power.

Widespread destruction and damage was also caused to vital infrastructure, including to sanitation, water and electrical networks and infrastructure and to several hospitals and schools, as well as to numerous public institutions and mosques, thousands of businesses, and agricultural lands. Of course, it must also be recalled that, as we are all aware, the occupying Power's rampage in the Gaza Strip did not leave the United Nations facilities there unharmed, as several UNRWA schools and the main United Nations compound also came under Israeli attack, which gravely damaged United Nations facilities and caused an immense loss of materials stored at the main compound, including food and medical supplies.

The extent of human suffering and destruction wrought by the occupying Power is vast. Entire families and communities have been devastated. In addition to the killing and injuring of thousands of civilians, at least 50,000 people have also been displaced and made homeless by this deadly military campaign. Trauma and suffering are widespread and deep, affecting every single family in Gaza, all of whom have already suffered inordinately under Israel's inhumane blockade, which continues to be imposed in collective punishment of the entire Palestinian civilian population and which has caused unprecedented levels of poverty, unemployment, hunger and disease. In this regard, we stress the imperative of the immediate, sustained opening of the Gaza Strip border crossings for the free movement of persons and goods, including desperately needed humanitarian assistance that countries and organizations from all around the world are attempting to deliver to the Palestinian people, as well as commercial flows to allow for the necessary reconstruction and economic recovery.

These actions by Israel, the occupying Power, have not only caused a grave humanitarian crisis in the Gaza Strip but, as we have reiterated on numerous occasions, also constitute war crimes. All of the crimes committed by the occupying Power must be thoroughly investigated and the perpetrators must be held fully accountable and brought to justice. In this regard, we stress our conviction that only accountability will bring an end to Israel's impunity and flagrant disregard for its obligations under international law, and we reaffirm the intention to continue vigorously calling for and pursuing accountability until the perpetrators of these crimes against the Palestinian people are punished and justice is served.

At the same time, I must draw your attention to the fact that Israel also continues to commit other grave breaches of international law, in particular the Fourth Geneva Convention, in the rest of the Occupied Palestinian Territory, ensuring the continued destabilization of the situation and the fuelling of tensions and frustrations. In breach of the law, in violation of United Nations resolutions, in disrespect of the Road Map obligation to freeze settlement activities, including "natural growth", and to dismantle "settlement outposts" and in total disregard of the repeated calls from all around the international community, the occupying Power continues to illegally construct and expand its settlements and also to illegally

construct the Wall throughout the West Bank, particularly in and around Occupied East Jerusalem.

Just a few days ago the Israeli Government announced the decision to construct another 3,500 settlement units in East Jerusalem. Moreover, a recent report by an Israeli organization (Volunteers for Human Rights — Yesh Din) reaffirms the fact that such settlement construction continues to be carried out on private Palestinian lands confiscated from their rightful owners with the full knowledge and approval of the Government. It has become glaringly clear that Israel's direct and deliberate intention in pursuing this illegal colonization campaign is to alter the demographic composition, character and status of the Occupied Palestinian Territory for the ultimate aim of de facto annexing even more Palestinian land.

In this connection, Israel also continues to pursue illegal excavations in and around Occupied East Jerusalem, in violation of international law, threatening the sanctity of holy sites, as well as their status as heritage sites according to the United Nations Educational, Scientific and Cultural Organization, and also threatening the safety and viability of homes and institutions in the area. An incident that occurred yesterday in the neighbourhood of Silwan at the elementary school for girls, which is run by UNRWA, is an illustration of the many dangers of this illegal activity. At least 17 Palestinian girls were injured at the school when the floor of their classroom collapsed under their desks, throwing them at least two metres downward. This collapse was attributed to ongoing Israeli excavation and tunnel-digging activities near and beneath the compound of Al-Aqsa Mosque, which is located just 100 metres from the school.

We reiterate the illegality of all Israeli colonization activities in the Occupied Palestinian Territory and call for their immediate and full cessation by the occupying Power. Such illegal activities are not only dissecting the West Bank into several isolated cantons and almost completely severing East Jerusalem from the rest of the Palestinian Territory, but are also totally undermining the Territory's contiguity, unity and integrity. As a result, the prospect for achieving the two-State solution for peace also continues to be undermined and seriously endangered with each passing day of this continuing, illegal and destructive Israeli policy and campaign.

The international community has clear obligations in this regard. The obligation to respect and to ensure respect for international humanitarian law in all circumstances is unequivocal. The situation in the Occupied Palestinian Territory must not be the exception. No effort should be spared by the international community, including the Security Council, to address this precarious situation in accordance with international law. Israel, the occupying Power, must be compelled to cease all of its grave breaches and violations against the Palestinian people and abide by its obligations under international law, including humanitarian and human rights law. Only such respect for international law will bring about the conditions and environment required for the genuine pursuit of peace.

The present letter is in follow-up to our previous 332 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 14 January 2009 (A/ES-10/442-S/2009/40), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the

Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice. (As all the victims have not yet been identified, their names will be included in an annex to a future letter.)

I should be grateful of you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer

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Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Letter dated 4 February 2009 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

With reference to the letter dated 22 January 2009, I have the pleasure to attach herewith the letter received from Mme. Suzanne Mubarak, the First Lady of Egypt and the President of the Egyptian Red Crescent Society (ERCS), addressed to you, regarding Egypt's efforts to alleviate the grave humanitarian situation in the Gaza Strip resulting from the Israeli aggression (see annex).

I would appreciate if the present letter and its annex could be circulated as a document of the sixty-third session of the General Assembly, under agenda items 15, 16, 29 and 65 (c), of the tenth emergency special session of the General Assembly under agenda item 5, illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory, and of the Security Council, under the item entitled "The situation in the Middle East, including the question of Palestine".

(*Signed*) Maged A. **Abdelaziz**
Ambassador
Permanent Representative

09-22989 (E) 170209

Annex to the letter dated 4 February 2009 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

I would like, at the outset, to express my appreciation for the frank discussions and valuable exchange of views we had during our meeting on 14 January 2009 regarding the grave and deteriorating humanitarian situation in Occupied Gaza Strip resulting from the continuing Israeli aggression.

As we discussed, I, in my capacity as the president of the Egyptian Red Crescent Society (ERCS), called for an urgent meeting on 10 January 2009 with relevant United Nations agencies, in order to address the various aspects of the humanitarian crisis facing the Palestinian people in Gaza, and to establish enhanced coordination to facilitate immediate, effective and sustained delivery of food and medical assistance.

At the meeting it was agreed to establish the Emergency Committee for the Coordination of Assistance (ECCA) to Gaza, aiming at harmonizing the activities of all actors in the field of humanitarian assistance and efficiently responding to the real needs of the Palestinian people. The Committee is scheduled to begin to operate promptly.

Furthermore, while many have stepped forward to provide aid to the Palestinians in this time of distress, you might agree that such efforts as well as initiatives need to be better coordinated. The United Nations stands at the heart of such endeavour. As I underscored in our meeting on 14 January, I firmly believe that the United Nations has an essential role to play in leading the global efforts to mobilize the urgently needed additional resources for the provision of humanitarian assistance for the Palestinians.

It is, therefore, my hope that you will undertake this fundamental task, by calling for a high-level meeting for the donor community to convene as soon as possible in order to respond to this dire humanitarian situation, through providing the United Nations family with the appropriate means to alleviate the human suffering in Gaza.

I am confident that you will spare no effort in realizing this proposal.

Please accept, Excellency, my sincere thanks for your leadership and the extraordinary work of all United Nations humanitarian personnel, for their dedication and tireless efforts. I would like to pay tribute to all those who have lost their lives in performing their responsibilities towards the Palestinian civilian population during this crisis.

(*Signed*) Suzanne **Mubarak**

Attachment

Terms of reference of the Emergency Committee for the Coordination of Assistance to Gaza

At the initiative of Suzanne Mubarak, the First Lady of the Arab Republic of Egypt, in her capacity as President of the Egyptian Red Crescent Society, a meeting of the Egyptian Red Crescent Society with the United Nations specialized agencies, funds and programmes was held on 10 January 2009, in Cairo.

The meeting endorsed the proposal of the First Lady to establish the Emergency Committee for the Coordination of Assistance (ECCA) to the Palestinian population in occupied Gaza Strip.

Objectives:

The objectives of the Emergency Committee for the Coordination of Assistance include:

1. Coordinating all multilateral and bilateral humanitarian assistance directed to Gaza through Egypt, ensuring that the assistance reflects the priorities of the Palestinian people, as outlined by the various United Nations agencies concerned in collaboration with the Palestinian Red Crescent.

2. Coordinating with the concerned parties the effective, unimpeded and sustained delivery of such assistance.

3. Collaborating in the area of information exchange regarding the humanitarian situation in the field as well as the efforts by various actors to avoid duplication and redundancies.

Location and composition:

The Emergency Committee for the Coordination of Assistance will be located in Cairo (the headquarters of the Egyptian Red Crescent Society), with a field presence at Al-Arish.

The Emergency Committee for the Coordination of Assistance will be composed of representatives of:

1. The Egyptian Red Crescent Society (Chair)

2. United Nations agencies, including:

   - United Nations Resident Coordinator (Egypt)
   - World Food Programme (WFP)
   - World Health Organization (WHO)
   - United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)
   - Office for the Coordination of Humanitarian Affairs
   - United Nations Children's Fund (UNICEF)
   - United Nations Population Fund (UNFPA)

3. Relevant Egyptian authorities

4. The Palestinian Red Crescent

The field presence of the Emergency Committee for the Coordination of Assistance will be composed of representatives of:

- The Egyptian Red Crescent Society
- United Nations Resident Coordinator (Egypt)
- WFP
- WHO
- Governorate of Northern Sinai
- Relevant Egyptian authorities
- Palestinian Red Crescent

The Emergency Committee for the Coordination of Assistance will hold periodic meetings to exchange views on the developments pertaining to the delivery of assistance.

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Letter dated 16 January 2009 from the Chargé d'affaires a.i. of the Permanent Mission of the Dominican Republic to the United Nations addressed to the President of the General Assembly

I have the honour to transmit herewith a statement setting forth the position of the Dominican Republic with regard to the grave situation in the Gaza Strip (see annex). I should be grateful if you would have that statement circulated as a document of the tenth emergency special session of the General Assembly on the situation in the Gaza Strip.

(*Signed*) Enriquillo A. **del Rosario Ceballos**
Ambassador, Deputy Permanent Representative
Chargé d'affaires a.i.

09-23489 (E) 120209 130209

Annex to the letter dated 16 January 2009 from the Chargé d'affaires a.i. of the Permanent Mission of the Dominican Republic to the United Nations addressed to the President of the General Assembly

The Dominican Republic is greatly concerned about the violent confrontations between Israel and Hamas. Given the gravity of the situation and the high cost in human suffering for the people of Gaza, it is crucial to ensure unimpeded access for international humanitarian assistance organizations, so that victims may receive food and medical treatment.

The Dominican Republic rejects both the excessive use of force by Israeli forces and the firing of rockets from the Gaza Strip into Israeli territory.

The Dominican Republic wholly supports Security Council resolution 1860 (2009), which calls for an immediate ceasefire and for the resumption of political dialogue with a view to restoring calm in the region.